Received: 06/13/2003

#### 2003 DRAFTING REQUEST

#### Senate Amendment (SA-SSA1-SB44)

Received: 06/13/2003  Wanted: Soon  For: Charles Chvala (608) 266-9170  This file may be shown to any legislator: NO				Received By: jkreye  Identical to LRB:  By/Representing: maribeth  Drafter: jkreye												
								May Con	itact:				Addl. Drafters:			
								Subject: Shared Revenue					Extra Copies:			
								Submit v	ia email: <b>YES</b>							
Requeste	r's email:	Sen.Chvala	a@legis.stat	te.wi.us												
Carbon c	opy (CC:) to:	joseph.kre	ye@legis.sta	ate.wi.us												
Pre Top	ic:		3													
No specif	fic pre topic gi	ven														
Topic:				-												
Restore g	governor's shar	red revenue per	capita distri	ibution												
Instructi	ions:															
See Attac	ched															
Drafting	History:			· · · · · · · · · · · · · · · · · · ·												
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	Jacketed	Required									
/? /1	jkreye 06/16/2003	jdyer 06/17/2003 jdyer 06/17/2003 mbarman 06/18/2003	pgreensl 06/17/200	03	sbasford 06/17/2003	sbasford 06/17/2003										

06/18/2003 01:27:32 PM Page 2

Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	<u>Required</u>
	· .	csicilia 06/18/2003					
/2			pgreensl 06/18/200	3	sbasford 06/18/2003	sbasford 06/18/2003	
FE Sent	For:						
				< <b>END&gt;</b>	•		

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This file may be shown to any legislator: NO

Drafter: jkreye

May Contact:

Addl. Drafters:

Subject:

**Shared Revenue** 

Extra Copies:

Submit via email: YES

Requester's email:

Sen.Chvala@legis.state.wi.us

Carbon copy (CC:) to:

joseph.kreye@legis.state.wi.us

**Pre Topic:** 

No specific pre topic given

**Topic:** 

Restore governor's shared revenue per capita distribution

**Instructions:** 

See Attached

**Drafting History:** 

<u>Vers.</u> <u>Drafted</u> <u>Reviewed</u> <u>Typed</u> <u>Proofed</u> <u>Submitted</u> <u>Jacketed</u> <u>Required</u>

/? /1

jkreye 06/16/2003 jdyer 06/17/2003 jdyer

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03

sbasford 06/17/2003

sbasford 06/17/2003

/2 gs 6/18

06/17/2003 03:20:05 PM Page 2

FE Sent For:

<**END**>

#### 2003 DRAFTING REQUEST

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Vers.

**Drafted** 

Reviewed

/?

ikreye

**Typed** 

Proofed

**Submitted** 

<u>Jacketed</u>

Required

FE Sent For:

<END>

# Shared Kevenne

## Budget Amendment Bill Request Form

### Legislative Reference Bureau 100 N. Hamilton Street

Legal Section 266-3561

80407

You	ı may use this for	m or talk directly with the	LRB attorney v	who will draft the bill.	
Date 0-16				0.	
Legislator, agen	ncy, or other pers	son requesting this draft_	Senato	r Chvala	
Person submitti	ng request (nam	e and phone number)	Maribet	h Witzel-R	sehl
Persons to cont	act for questions	s about this draft (names	and phone nu	mbers) <u>2[0[0-9]</u>	70_
Describe the pro	oblem, including	any helpful examples. H	low do you war	it to solve the problem?	Shared
addition for Sha	al \$20, red Rever	nois formula is capita ba ,000,000 goin rue.	us, na t Finan	t Maintain	- the located
Please attach a statute sections	copy of any corr that might be af	respondence or other ma fected, list them or provid	aterial that may de a marked-up	help us. If you know of o copy.	any
You may attach 1999 AB-67).	a marked-up cop	by of any LRB draft or pro	ovide its numbe	r (e.g., 2001 LRB-2345/1	l or
Requests are of this for you?	confidential unle	ss stated otherwise. M	ay we tell othe	ers that we are working	j on
,	If yes:	Anyone who asks? Any legislator?	YES NO YES NO		, A
	Only the follo				·
	,				
	r this request urg	· · · · · · · · · · · · · · · · · · ·		y the time the indicate why fakes	0° <del>1</del> 1
Should we give	this request prior	rity over any pending rec	quest of this leg		on? NO

#### SHARED REVENUE AND TAX RELIEF - DIRECT AID PAYMENTS

County and Municipal Aid in 2004 [Papers #670, #671 and #6721

#### Motion:

Move to delete the Governor's recommendation to reduce county and municipal aid payments to municipalities in 2004 by an additional \$70,000,000 and to apply the reductions on a per capita basis. Repeal the current law provisions extending state aid payments to municipalities under the county and municipal aid program beginning in 2004 and set the per capita funding reduction for counties under that program, as created in 2001 Wisconsin Act 109, at \$20,000,000. Remove any remaining references to municipalities, rename the program the county aid program, and estimate 2004-05 funding for the program at \$158,234,400, which is a \$673,102,200 reduction from the bill.

Municipal Aid for Basic Public Services. Create a program called municipal aid for basic public services to be administered by the Department of Revenue. Distribute \$567,957,200 in 2004 and 2005 under the program to municipalities that are incorporated and have a 2002 population, as determined by the Department of Administration, of 2,500 or more and to unincorporated municipalities that have a 2002 population, as determined by the Department of Administration, of 5,000 or more. Exclude any municipality from the distribution, regardless of its 2002 population, if the sum of the municipality's actual 2001 per capita public safety cost and the municipality's actual 2001 per capita conservation, development, and library cost is less than \$50.

Set each municipality's initial basic aid equal to the greater of the municipality's 2002 population, as determined by the Department of Administration, multiplied by \$23 or the municipality's aidable costs multiplied by the municipality's sharing factor.

Calculate each municipality's sharing factor by dividing the municipality's per capita full value by the standard value and subtracting the result from one, but specify that the result cannot be less than zero. Calculate each municipality's per capita full value by dividing the municipality's 2002 equalized value, exclusive of the incremental value in tax increment districts, by the municipality's 2002 population. Calculate the standard value as the per capita value that results in the distribution of the entire funding level.

Calculate each municipality's aidable costs by summing the municipality's adjusted per capita public safety cost and the municipality's adjusted per capita conservation, development, and library cost and multiplying the result both by the municipality's 2002 population and by the municipality's poverty factor.

Set the poverty factor for municipalities with 2002 populations over 50,000 as the amount determined by dividing the percentage of the municipality's population with incomes at or below the poverty level, as determined in the 2000 decennial census, by a percentage equal to 1.3 multiplied by the percentage of the state's population with incomes at or below the poverty rate, as determined in the 2000 decennial census. Limit each municipality's poverty factor to no less than 1.0 and no more than 1.35. Set the poverty factor for municipalities with 2002 populations below 50,000 at 1.0.

Calculate each municipality's adjusted per capita public safety cost as the sum of its primary per capita public safety cost and its secondary per capita public safety cost.

Define each municipality's primary per capita public safety cost as its actual per capita public safety cost, up to one-half of the average per capita public safety cost, multiplied by 1.5. Define each municipality's secondary per capita public safety cost as its actual per capita public safety cost in excess of one-half of the average per capita public safety cost, but no more than the average per capita cost, multiplied by 0.5. Define actual per capita public safety cost for each municipality as its actual expenditures, net of any related revenues, incurred in 2001 for operations and capital outlays related to public safety services, as determined by the Department of Revenue, based on the financial reports required under s. 73.10(2) of the statutes, and recorded in the governmental and proprietary fund types, divided by the municipality's 2002 population. Specify that the actual per capita public safety cost for each municipality cannot be less than \$0. Define the average per capita public safety cost as the total net 2001 public safety expenditures for eligible municipalities divided by the total 2002 population for eligible municipalities with reported 2001 public safety expenditures.

Calculate each municipality's adjusted per capita conservation, development, and library cost as the sum of its primary per capita conservation, development, and library cost and its secondary per capita conservation, development, and library cost.

Define each municipality's primary per capita conservation, development, and library cost as its actual per capita conservation, development, and library cost, up to one-half of the average per capita conservation, development, and library cost, multiplied by 1.5. Define each municipality's secondary per capita conservation, development, and library cost as its actual per capita conservation, development, and library cost in excess of one-half of the average per capita conservation, development, and library cost, but no more than the average per capita cost, multiplied by 0.5. Define actual per capita conservation, development, and library cost for each municipality as its actual expenditures, net of any related revenues, incurred in 2001 for operations and capital outlays related to conservation, development, and library services, as determined by the Department of Revenue, based on the financial reports required under s. 73.10(2) of the statutes, and recorded in the governmental and proprietary fund types, divided by the municipality's 2002 population. Specify that the actual per capita conservation, development, and library cost for each municipality cannot be less than \$0. Define the average per capita conservation, development, and library expenditures for eligible

municipalities divided by the total 2002 population for eligible municipalities with reported 2001 conservation, development, and library expenditures.

Establish a minimum guarantee for payments to each municipality under this distribution equal to 88.5 of the amount the municipality received in 2003 under the shared revenue program, exclusive of utility aid, and the small municipalities shared revenue program. For each municipality with an initial basic aid payment less than the minimum guarantee, provide a minimum payment equal to the difference between the basic aid payment and the minimum guarantee. Fund the payments under the minimum guarantee by limiting the payment each municipality may receive to an amount determined by multiplying the amounts received in 2003 under the shared revenue program, exclusive of utility aid, and the small municipalities shared revenue program by a maximum percentage. Set the maximum percentage as that percentage that reduces initial basic aid payments in total by an amount equal to the total payments under the minimum guarantee (the maximum percentage is estimated to be 93.1).

Expenditure Restraint Supplemental Aid. Create a program called expenditure restraint supplemental aid to distribute \$10,000,000 in 2004 and 2005 to municipalities in the municipal aid for basic public services program. Provide that in order to receive a payment, a municipality must have a 2001 property tax levy rate, as defined under Current law for the expenditure restraint program, in excess of eight mills and must have limited the change in its municipal budget, as defined under current law, between 2001 and 2002, to an amount less than the maximum amount allowed under the expenditure restraint program. Calculate the payment for each municipality by doing the following: (1) multiplying the amount of its property tax levy rate in excess of eight mills by its 2001 full value, including value increments; (2) dividing the result by the sum of the products under (1) for all eligible municipalities; and (3) multiplying the resulting percentage by \$10,000,000.

Establish a minimum guarantee for the combined payments to each municipality under this distribution and the municipal aid for basic public services distribution equal to 90.0 of the amount the municipality received in 2003 under the shared revenue program, exclusive of utility aid, and the small municipalities shared revenue program. Specify that this minimum guarantee applies only to municipalities receiving an expenditure restraint supplemental aid payment. For each municipality where the sum of its payment under the municipal aid for basic public services program and its initial allocation under the expenditure restraint supplemental aid program is less than the minimum guarantee, provide a minimum payment equal to the difference between the sum of the aid amounts and the minimum guarantee. Fund the payments under the minimum guarantee by limiting the payment each municipality may receive under this distribution and the municipal aid for basic public services distribution to a percentage of the amounts received in 2003 under the shared revenue program, exclusive of utility aid, and the small municipalities shared revenue program. Set the maximum percentage as that percentage that reduces initial payments by a total amount equal to payments under the minimum guarantee (the maximum percentage is estimated to be 96.6).

Small Municipalities State Aid. Create a program called the small municipalities state aid

program to distribute \$125,145,000 in 2004 and 2005 to municipalities that are incorporated and have a 2002 population, as determined by the Department of Administration, of less than 2,500 and to unincorporated municipalities that have a 2002 population, as determined by the Department of Administration, of less than 5,000. Include any municipality in the distribution, regardless of its 2002 population, if the sum of the municipality's actual 2001 per capita public safety cost and the municipality's actual 2001 per capita conservation, development, and library cost, as determined under the municipal aid for basic public services program, is less than \$50. Establish each eligible municipality's payment in 2004 and 2005 as an amount equal to the amount of aid the municipality received in 2003 under the shared revenue program, exclusive of utility aid, and the small municipalities shared revenue program multiplied by a uniform percentage. Set the percentage at the amount that results in the distribution of the entire funding level (the percentage is estimated to be 11.6).

Sum Sufficient Appropriation. Create a sum sufficient, GPR appropriation to fund the aid payments under the municipal aid for basic public services, expenditure restraint supplemental aid, and small municipalities state aid programs in 2004 and 2005. Specify that the SEG appropriations created under the bill to pay a part of the cost of 2004 county and municipal aid payments would instead be used to pay part of the cost of these aid payments. Estimate 2004-05 funding for the appropriation at \$503,102,200 GPR. (This total is \$200 million less than the sum of the component aid programs to reflect the \$190 million SEG funding and the \$10 million offset in higher medical assistance reimbursements for emergency transportation services). Extend the payment schedule authorized under current law for the shared revenue program to the three programs created under this motion. Establish a December 31, 2005, sunset for encumbrances and expenditures related to payments to municipalities from the appropriation for the distributions under these three programs.

Municipal Aid Study Committee. Create a new, GPR sum sufficient appropriation for aid payments to municipalities and specify that the amount distributed under the appropriation, prior to the deductions for the medical assistance reimbursements, would equal \$703,102,200 in 2006 and thereafter. Request that the Joint Committee on Legislative Organization create a committee to study the distribution of state aid to municipalities and to make a recommendation for the distribution of \$703,102,200, beginning in 2006. If the Joint Committee on Legislative Organization creates the committee, direct the committee to report its findings, conclusions, and recommendations to the Legislature by December 31, 2004, following the procedures established under current law. Direct the Legislative Fiscal Bureau to staff the work of the committee.

Note:

The following table compares the aid levels and programs included in SB 44 with those under the motion:

Motion #354

Page 4

#### Current Law - 2003

Chanad	Revenue

\$949,162,000

County Mandate Relief21,181,100Small Municipalities Shared Revenue11,221,100Expenditure Restraint5S, 145,700Current Law Funding Totals\$ 1,039,709,900

Governor's Proposal in SB 44 - 2004 (2004-05)

 Shared Revenue (Utility Aid)
 \$31,435,600

 County and Municipal Aid
 831,336,600

 Expenditure Restraint
 5R,145,700

 Proposed Funding Total
 \$920,917,900

 Change to 2003
 -\$118,792,000

Proposed Motion - 2004 (2004-05)

Shared Revenue (Utility Aid) \$31,435,600

Municipal Aid for Basic Public Services 567,957,200

Expenditure Restraint Supplemental Aid 10,000,000

Small Municipalities State Aid 125,145,000

County Aid 158 234 400

County Aid 158,234,400 Expenditure Restraint 58,145,700

Medical Assistance Emergency Transportation -10,000,000

 Proposed Funding Total
 \$940,917,900

 Change to 2003
 -\$98,792,000

 Change to Governor
 \$20,000,000

[Change to Bill: \$20,000,000 GPR]



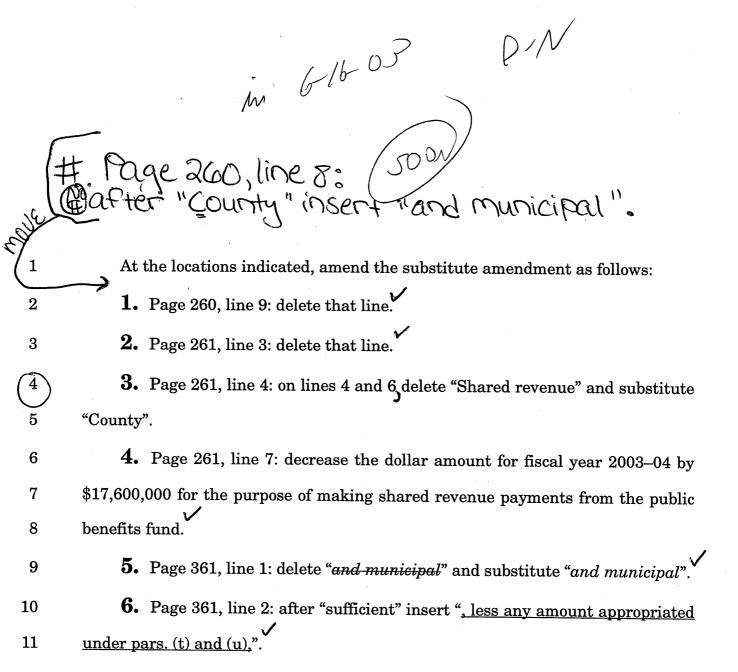
#### State of Misconsin 2003 - 2004 LEGISLATURE

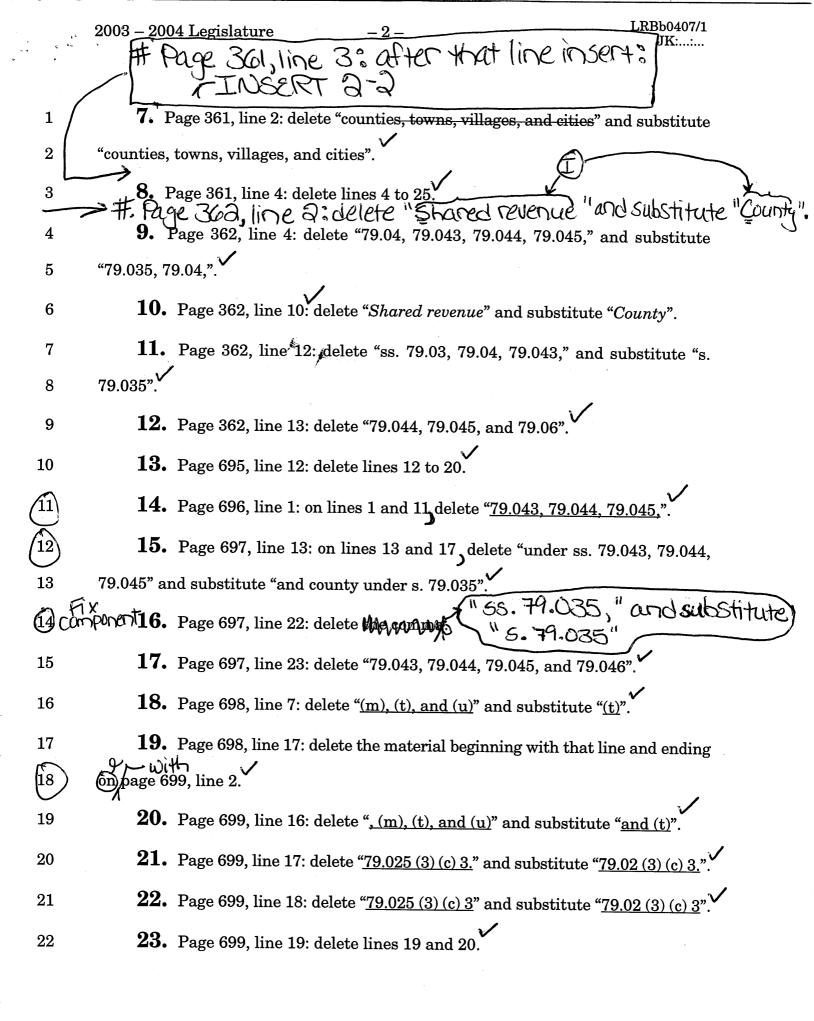
LRBb0407/1 JK:..,

#### SENATE AMENDMENT,

#### TO SENATE SUBSTITUTE AMENDMENT 1,

#### TO 2003 SENATE BILL 44





1	24. Page 699, line 23: delete "and municipality" and substitute "and
2	municipality".
(3)	25. Page 699, line 23: delete "and" and substitute "and".
4	<b>26.</b> Page 699, line 24: delete "municipal" and substitute "municipal".
5	27. Page 699, line 24: after "account" insert "and, for distributions in 2004,
6	form the appropriation accounts under s. 20.835 (1) (t) and (u)".
(7)	28. Page 700, line 2: on lines 2, 8 and 17 delete "and municipality" and
8	substitute "and municipality".
9	29. Page 700, line 3: on lines 3, 14 and 19 delete "or municipality" and
10	substitute "or municipality".
11	30. Page 700, line 9: delete "er" and substitute "or".
(12)	31. Page 700, line 10: delete "pricipality" and substitute "municipality".
13	32. Page 700, line 12: delete "or municipality's" and substitute "or
14	municipality's".
15	33. Page 703, line 5: delete the material beginning with that line and ending
<u>(16)</u>	mpage 711, line 12.
17	34. Page 1150, line 5: delete Med auditidure this (NO Changes)
18	35. Page 1150, line 10: delete lines 10 to 13.
19	(END)
	d-note

## DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBb0407/1dn JK:<sub>N</sub>:....

#### Senator Chvala:

This amendment restores the governor's county and municipal aid per capita distribution but retains a \$20,000,000 reduction in 2004 for payments to counties and municipalities, as opposed to the \$40,000,000 reduction under current law or the \$50,000,000 reduction as proposed by the governor.

Joseph T. Kreye Legislative Attorney Phone: (608) 266–2263

E-mail: joseph.kreye@legis.state.wi.us

**SENATE BILL 44** 

1	20.835 (1) (db) County and municipal aid account. Beginning in 2004, a sum
2	sufficient, less any amount appropriated under pars. (t) and (u), to make payments
3	to counties, towns, villages, and cities under ss. s. 79.035 and 79.036.
(4)	SECTION 652. 20.835 (1) (db) of the statutes, as affected by 2003 Wisconsin Act
5	(this act), is repealed and recreated to read:
6	20.835 (1) (db) County and municipal aid account. Beginning in 2004, a sum
<b>7</b>	sufficient to make payments to counties, towns, villages, and cities under s. 79.035.
8	SECTION 663. 20.835 (1) (t) of the statutes is created to read:
9	20.835 (1) (t) Shared revenue and county and municipal gid; transportation
10	fund. From the transportation fund, the amounts in the schedule to provide for the
(11)	distributions to counties, towns, villages, and cities under ss. 79.03, 79.035, 79.04,
12	and 79.06. No moneys may be encumbered from this appropriation account after
13	June 30, 2005.
14	SECTION 664. 20.835 (1) (t) of the statutes, as created by 2003 Wisconsin Act
15	(this act), is repealed.
16	SECTION 665. 20.835 (1) (u) of the statutes is created to read:
17	20.835 (1) (u) County and nunicipal aid; utility public benefits fund. From the
18	utility public benefits fund, the amounts in the schedule to provide for the
19	distributions to counties, towns, villages, and cities under s. 79.035. No moneys may
20	be encumbered from this appropriation account after June 30, 2005.
21	SECTION 666. 20.835 (1) (u) of the statutes, as created by 2003 Wisconsin Act
22	(this act), is repealed.
23	SECTION 667. 20.835 (2) (f) of the statutes is amended to read:
24	20.835 (2) (f) Earned income tax credit. A sum sufficient to pay the excess
25	plaims approved under s. 71.07 (9e) that are not paid under part pars. (kf) and (r)

## DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBb0407/1dn JK:jld:pg

June 17, 2003

#### Senator Chvala:

This amendment restores the governor's county and municipal aid per capita distribution but retains a \$20,000,000 reduction in 2004 for payments to counties and municipalities, as opposed to the \$40,000,000 reduction under current law or the \$50,000,000 reduction as proposed by the governor.

Joseph T. Kreye Legislative Attorney Phone: (608) 266–2263

E-mail: joseph.kreye@legis.state.wi.us



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## State of Misconsin 2003 - 2004 LEGISLATURE

LRBb0407/1
JK:jld:pg
StayS
RM Ma

# SENATE AMENDMENT, TO SENATE SUBSTITUTE AMENDMENT 1, TO 2003 SENATE BILL 44



- At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 260, line 8: after "County" insert "and municipal".
  - 2. Page 260, line 9: delete that line.
- 4 3. Page 261, line 3: delete that line.
- 4. Page 261, line 4: on lines 4 and 6, delete "Shared revenue" and substitute
  "County".
- 5. Page 261, line 7: decrease the dollar amount for fiscal year 2003-04 by
  \$17,600,000 for the purpose of making shared revenue payments from the public
  benefits fund.
  - **6.** Page 361, line 1: delete "and municipal" and substitute "and municipal".

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1	7. Page 361, line 2: after "sufficient" insert ", less any amount appropriated
2	under pars. (t) and (u).".

- **8.** Page 361, line 2: delete "counties, towns, villages, and cities" and substitute "counties, towns, villages, and cities".
  - **9.** Page 361, line 3: after that line insert:
- "Section 661n. 20.835 (1) (db) of the statutes, as affected by 2003 Wisconsin
  Act .... (this act), is repealed and recreated to read:
- 8 20.835 (1) (db) County and municipal aid account. Beginning in 2004, a sum 9 sufficient to make payments to counties, towns, villages, and cities under s. 79.035.".
- 10 **10.** Page 361, line 4: delete lines 4 to 25.
- 11. Page 362, line 2: delete "Shared revenue" and substitute "County".
- 12. Page 362, line 4: delete "79.04, 79.043, 79.044, 79.045," and substitute "79.035, 79.04,".
- 14 Page 362, line 10: delete "Shared revenue" and substitute "County".
- 15 **14.** Page 362, line 12: delete "ss. 79.03, 79.04, 79.043," and substitute "s. 79.035".
- 17 **15.** Page 362, line 13: delete "79.044, 79.045, and 79.06".
- 18 **16.** Page 695, line 12: delete lines 12 to 20.
- 19 **17.** Page 696, line 1: on lines 1 and 11, delete "79.043, 79.044, 79.045,".
- 18. Page 697, line 13: on lines 13 and 17, delete "under ss. 79.043, 79.044,
  79.045" and substitute "and county under s. 79.035".
- 22 **19.** Page 697, line 22: delete "ss. 79.035," and substitute "s. 79.035".

- 1 **20.** Page 697, line 23: delete "79.043, 79.044, 79.045, and 79.046". **21.** Page 698, line 7: delete "(m), (t), and (u)" and substitute "(t)". 2 22. Page 698, line 17: delete the material beginning with that line and ending 3 4 with page 699, line 2. **23.** Page 699, line 16: delete ", (m), (t), and (u)" and substitute "and (t)". 5 **24.** Page 699, line 17: delete "79.025 (3) (c) 3." and substitute "79.02 (3) (c) 3.". 6 **25.** Page 699, line 18: delete "79.025 (3) (c) 3" and substitute "79.02 (3) (c) 3". 7 **26.** Page 699, line 19: delete lines 19 and 20. 8 Page 699, line 23: delete "and municipality" and substitute "and 9 10 municipality". 11 **28.** Page 699, line 23: delete "county and" and substitute "county and". 29. Page 699, line 24: delete "municipal" and substitute "municipal". 12 **30.** Page 699, line 24: after "account" insert "and, for distributions in 2004.
- 13 Page 699, line 24: after "account" insert "and, for distributions in 2004, the appropriation accounts under s. 20.835 (1) (t) and (u)".
- 31. Page 700, line 2: on lines 2, 8 and 17, delete "and municipality" and
  substitute "and municipality".
- 17 **32.** Page 700, line 3: on lines 3, 14 and 19, delete "or municipality" and substitute "or municipality".
- 19 **33.** Page 700, line 9: delete "or" and substitute "or".
- 20 **34.** Page 700, line 10: delete "municipality's" and substitute "municipality's".
- 21 **35.** Page 700, line 12: delete "or municipality's" and substitute "or municipality's".

3

1	36.	Page 703, line	5: delete the	material	beginning with	that line	and ending
<b>2</b>	with page	711. line 12.					

- **37.** Page 1150, line 5: delete "(dd)" and substitute "(db)".
- 4 **38.** Page 1150, line 10: delete lines 10 to 13.

5 (END)



#### State Senator Chuck Chvala

SENATE MAJORITY LEADER

Page 3, line 14, please Change "form"

to "from"

Thank you!